

SODHA PRIVACY POLICY

Our contact details

Controller

Belgian Science Policy Office (BELSPO)

National Archives of Belgium / State Archives
DAD Department
SODHA repository within the framework of BELSPO research projects SODA & BISHOPS

Contact details

By e-mail: sodha@arch.be

By mail: Rue de Ruysbroeck 2, 1000 Brussels, Belgium

Data Protection Officer

Belgian Science Policy Office (BELSPO)

National Archives of Belgium / State Archives
Data Protection Officer

Contact details

By e-mail: dpo@arch.be

By mail: Rue de Ruysbroeck 2, 1000 Brussels, Belgium

1. Which personal data¹ does the SODHA repository process² in its capacity as controller?³

1.1 Registration at SODHA repository

Upon registration as a user of the DATAVERSE infrastructure of the SODHA repository, we collect the following personal data: **first name, last name, e-mail address, affiliation and job title**. The last two personal data are not mandatory.

If you register as a user of the DATAVERSE infrastructure of the SODHA repository using the institutions login of the Belnet R&E federation, we collect the following personal data: **first name, last name, e-mail address and affiliation**.

1.2 Metadata of the datasets deposited at the SODHA repository

When you deposit a dataset at the SODHA repository, we collect the following personal data: **Name and affiliation of the dataset creator; name, affiliation and e-mail address of the person to contact**

¹ Article 4(1) [General Data Protection Regulation](#) (hereafter [GDPR](#)).

² Article 4(2) [GDPR](#).

³ Article 4(7) [GDPR](#).

in order to obtain access to the dataset. These personal data shall be recorded in the metadata of the deposited dataset.

2. On which basis may the SODHA repository process your personal data?

2.1 Registration at SODHA repository

You give your **consent** to the processing of the personal data you provide to SODHA upon registration, in accordance with article 6, paragraph 1(a) [General Data Protection Regulation](#) (hereafter: [GDPR](#)) and article 7 of the [GDPR](#). You may withdraw your consent to the processing of these personal data by the SODHA repository at any time. Further explanation is given below.

2.2 Metadata of the datasets deposited at the SODHA repository

The depositor inputs the personal data necessary to collect information about the deposited data. The SODHA repository processes the data on the basis of the **deposit agreement** contracted between the depositor and SODHA in accordance with article 6, paragraph 1(b) of the [GDPR](#).

In addition, the processing of personal data is necessary for the performance of a **task carried out in the public interest**, in accordance with article 6, paragraph 1(e) of the [GDPR](#), namely to acquire, preserve and provide access to records, which is a task entrusted to the State Archives by virtue of the Archives law of 24 June 1955 (as amended by the law of 6 May 2009) [[DE](#)] [[FR](#)] [[NL](#)] as further stipulated in the Royal Decree establishing the missions of the General State Archives and State Archives in the Provinces [[FR](#)] [[NL](#)]. More specifically, this involves the provision of a digital archiving service to Belgian researchers for long-term preservation, access and re-use of research data. This task is currently entrusted to the State Archives on the basis of article 7 of Royal Decree establishing the missions of the General State Archives and State Archives in the Provinces [[FR](#)] [[NL](#)] through the BELSPO-funded SODA and BISHOPS research projects.

3. For which purposes does the SODHA repository process your personal data?⁴

3.1 Registration at SODHA repository

The personal data collected upon your registration at SODHA repository are used for **identification**. These data are kept by the SODHA repository on secure servers.

3.2 Metadata of the datasets deposited at the SODHA repository

The personal data contained in the metadata are displayed on the SODHA repository portal in order to provide **information** to users about the deposited datasets. Users who want to access a dataset with restricted access shall be **given access** to the contact information necessary to file their request, which are however not openly displayed.

SODHA also transfers personal data to international organisations, public authorities, etc. for the purpose of further disseminating information about the deposited research data.⁵ Further explanation about these transfers is given below.

⁴ Article 5, paragraph 1(b) [GDPR](#) and article 15, paragraph 1(a) [GDPR](#).

⁵ Article 13, paragraph 1(c) [GDPR](#).

If a depositor does not provide the personal data contained in the metadata, it is impossible for the SODHA repository to disseminate the datasets in a professional manner⁶ among the large public for access and re-use and to fulfil the obligations of the deposit agreement.⁷

4. For how long does the SODHA repository keep my personal data?⁸

4.1 Registration at SODHA repository

After 5 years of inactivity, the account and the personal data associated with it shall be deleted automatically.

4.2 Metadata of the datasets deposited at the SODHA repository

The SODHA repository processes the metadata during the period of time stipulated in the deposit agreement and as long as the SODHA repository fulfils its task carried out in the public interest.

5. Your right of access⁹ to your personal data kept by the SODHA repository

5.1 Registration at SODHA repository

In your account section on the SODHA portal, you can always get an overview of the personal data we have collected upon your registration.

5.2 Metadata of the datasets deposited at the SODHA repository

Via the SODHA portal you can create a machine-readable metadata export at any time. [See our FAQ for more information.](#)

Feel free to contact us for further information about the processing of your personal data by the SODHA repository.

6. Your right to rectification¹⁰ of your personal data kept by the SOHDA repository

6.1 Registration at SODHA Repository

In your account section on the SODHA portal, you can always rectify your data if they are not correct. [See our FAQ for more information.](#)

6.2 Metadata of the datasets deposited at the SODHA repository

a. *You are not the depositor of the dataset*

If it appears that personal data contained in the metadata are inaccurate, as a third party you can request rectification from us by means of a reasoned request containing the following elements:

⁶ In accordance with international archival standards and with the requirements of the Data Documentation Initiative (DDI) and of CESSDA.

⁷ Article 13, paragraph 2(e) [GDPR](#).

⁸ Article 13, paragraph 2(a) [GDPR](#).

⁹ Article 15 [GDPR](#).

¹⁰ Article 16 [GDPR](#).

- Exact description of the inaccurate personal data.
- Exact description of the changes SODHA should make.
- Evidence that substantiates the rectification request.

Your request must be complete and receivable. SODHA shall inform you within 10 working days whether or not your request is receivable. If your request is accepted, SODHA shall rectify the data within 20 working days counting from the acceptance of the request. If your request was not accepted, SODHA informs you about its decision and about the grounds on which it is based.

b. *You are the depositor of the dataset*

If you are the depositor of the dataset, you can at all times rectify the metadata yourself via the SODHA portal. [See our FAQ for more information.](#)

7. How can I withdraw my consent for the processing of my personal data?¹¹

Everyone registered via the SODHA portal can delete his or her account at all times. Please contact us for this purpose.

8. How can I obtain the erasure of my personal data from the metadata?¹²

Due to the derogations relating to processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes (article 89, paragraph 1 of the [GDPR](#)) it is not possible to erase your personal data from the metadata of the datasets deposited at the SODHA repository. The reason for this is that the erasure of personal data is likely to render impossible or seriously impair the purpose of the metadata (namely identification and localisation of the dataset).¹³

9. Your right to portability of your personal data

9.1. Registration at SODHA repository

You can contact SODHA at all times in order to obtain a machine readable version of the data of your account.

9.2. Metadata of the datasets deposited at the SODHA repository

Via the SODHA portal you can create a machine-readable metadata export at any time. [See our FAQ for more information.](#)

¹¹ Article 13, paragraph 2(e) [GDPR](#), and article 17, paragraph 1, [GDPR](#).

¹² Article 17, paragraph 1, [GDPR](#).

¹³ Article 17, paragraph 3(d) [GDPR](#).

10. Transfer of personal data by the SODHA repository

Transfer to the following international organisations or public authorities:

Organisation	Link to data protection policy	Transferred personal data
Consortium of European Social Science Data Archive (CESSDA ERIC) International organisation ¹⁴ headquartered in Norway; controller; adequate guarantees because Norway has transposed the GDPR into national legislation (See: The Act of 15 June 2018 no. 38 relating to the processing of personal data, a.k.a. the “Personal Data Act”)	https://www.cessda.eu/Privacy-policy	Name and affiliation of the dataset creator; name, affiliation and e-mail address of the person to contact in order to obtain access to the dataset.

11. How to lodge a complaint?

If you consider that the State Archives has not sufficiently treated your request, you may lodge a complaint with the [Data Protection Authority](#):

Data Protection Authority

Rue de la Presse 35
1000 Brussels
[contact\(at\)apd-gba.be](mailto:contact(at)apd-gba.be)

Complaints must be lodged using the [online complaint form](#) on the authority’s website.

12. Version history of this document

Date	Version number	Changes made
07-09-2020	1.0	First version
03-02-2021	2.0	New version history section, minor layout edits, correction of typos
03-03-2021	2.1	Brackets removed from the full name of SODHA
06-05-2021	2.2	Font of the document changed from Arial to Calibri
30-07-2021	2.3	<ul style="list-style-type: none"> • Links to online versions of laws were added whenever possible • Typo p. 3: “meta data” → “metadata”
23-08-2021	2.4	<ul style="list-style-type: none"> • Removal of erroneous links in section 10 • Correction of the remaining instances of “meta data” into “metadata”

¹⁴ Article 4, 26) [GDPR](#).